	Application No.	Applicant(s)
Notice of Allowability	09/684,373	HIPP ET AL.
	Examiner	Art Unit	
	William C. Vaughn, Jr.	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *28 February 2005*.

2. ☒ The allowed claim(s) is/are *9-11, 13-17, 19-23 and 25-27. Renumbered 1-16*.

3. ☐ The drawings filed on _____ are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

            International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

        1) ☐ hereto or 2) ☒ to Paper No./Mail Date *4/22/04*.

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date *12/6/04*

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413), Paper No./Mail Date *2/28/05* .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

Primary Examiner
Art Unit 2143
William C. Vaughn Jr.

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Lawrence J. Merkel, Reg. No. 41,191 on 28 February 2005.

The application has been amended as follows:

IN THE CLAIMS

Please cancel claims 12, 18 and 24 without prejudice or disclaimer.

Please amend claims 9-11, 13, 15-17, 19, 21-23 and 25 as follows:

9. (Currently Amended) A method comprising:

creating a snapshot image from a first instance of a software application running

on a first computer, wherein the snapshot image comprises application state associated

with the software application;

dividing the application state into shareable data and non-shareable data, wherein

shareable data comprises read-only data or data that is functionally isolated from other

applications, and wherein non-shareable data comprises data that is modified and is

globally visible to other applications; and

restoring an instance a second instance of the software application on a second

computer different from the first computer, wherein the second instance and the first

instance are distinct instances of the software application, and wherein the restoring

comprises:

providing the shareable data to the second instance, and

    controlling access by the second instance to the non-shareable data, wherein

    controlling access comprises dynamically redirecting the non-shareable, and

    wherein at least a first portion of the non-shareable data is virtualized.

10. (Currently Amended) The method of claim 9, wherein a second portion of the non-

shareable data is copied on a write operation.

11. (Currently Amended) The method of claim 9, wherein a second portion of the non-

shareable data is multiplexed.

13. (Currently Amended) The method of claim 9, wherein the second instance is altered

to provide customization of the software application.

15. (Currently Amended) A memory medium storing a plurality of instructions

comprising instructions which, when executed:

create snapshot image from a first instance of a software application running on a first

computer, wherein the snapshot image comprises application state associated with the software

application;

divide the application state into shareable data and non-shareable data, wherein shareable data comprises read-only data or data that is functionally isolated from other applications, and wherein non-shareable data comprises data that is modified and is globally visible to other applications; and

restore ~~an instance~~ a second instance of the software application on a second computer different from the first computer, wherein the second instance and the first instance are distinct of the software application, and wherein the restore comprises:

providing the shareable data to the second instance, and

controlling access by the second instance to the non-shareable data,

wherein controlling access comprises dynamically redirecting the non-shareable data, and wherein at least a first portion of the non-shareable data is virtualized.

16. (Currently Amended) The memory medium of claim 15, wherein a second portion of the non-shareable data is copied on a write operation.

17. (Currently Amended) The memory medium of claim 15, wherein a second portion of the non-shareable data is multiplexed.

19. (Currently Amended) The memory medium of claim 15, wherein the second instance is altered to provide customization of the software application.

21. (Currently Amended) A system operable to:

create a snapshot image from a first instance of a software application running on a first

computer, wherein the snapshot image comprises application state associated with the software

application;

divide the application state into shareable data and non-shareable data, wherein

shareable data comprises read-only data or data that is functionally isolated from other

applications, and wherein non-shareable data comprises data that is modified and is globally

visible to other applications; and

restore an instance a second instance of the software application on a second computer

different from the first computer, wherein the second instance and the first instance are distinct

of the software application, and wherein the restore comprises:

providing the shareable data to the second instance, and

controlling access by the second instance to the non-shareable data,

wherein controlling access comprises dynamically redirecting the non-shareable

data, and wherein at least a first portion of the non-shareable data is virtualized.

22. (Currently Amended) The system of claim 21, wherein a second portion of the non-

shareable data is copied on a write operation.

23. (Currently Amended) The system of claim 21, wherein a second portion of the non-

shareable data is multiplexed.

25. (Currently Amended) The system of claim 21, wherein the <u>second</u> instance is altered

to provide customization of the software application.

Title

2.   Pursuant to M.P.E.P. 606.01, the title has been changed to read as follows:--A

SNAPSHOT IMAGE FOR THE APPLICATION STATE OF UNSHAREABLE AND

SHAREABLE DATA --.

3.   The dependent claims further limit the independent claims and are considered allowable

on the same basis as the independent claims as well as for the further limitations set forth.

4.   Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

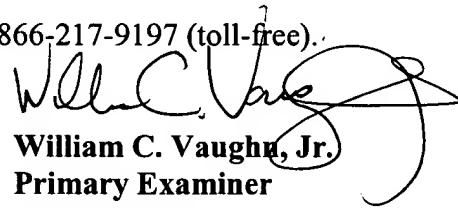5.   Claims 9-11, 13-17, 19-23 and 25-27 are allowed. Renumbered 1-16.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to William C. Vaughn, Jr. whose telephone number is (571) 272-

3922. The examiner can normally be reached on 8:00-6:00, 1st and 2nd Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David A Wiley can be reached on (571) 272-3923. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

William C. Vaughn, Jr.
Primary Examiner
Art Unit 2143

WCV